



STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	Administrative Action
	:	
	:	
(Donahue)	:	
Danielle Vermeylen, RN	:	FINAL ORDER
License # 26NR14432400	:	OF DISCIPLINE
	:	
	:	
TO PRACTICE NURSING IN THE	:	
STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Danielle Vermeylen ("Respondent") is a Registered Nurse in the State of New Jersey and has been a licensee at all times relevant hereto. (Exhibit A).

2. On or about May 21, 2013, Respondent completed and submitted an online biennial renewal application. Respondent was asked on the biennial renewal application whether Respondent would have "completed the required continuing education credits

by May 31, 2013," referring to the biennial renewal period of June 1, 2011 to May 31, 2013. Respondent answered "Yes" and certified that answer by submitting the online application.

3. Upon receipt of information indicating that Respondent was arrested on June 14, 2014 by the Point Pleasant Beach Borough Police Department for violation of N.J.S.A. 2C:33-2A(1) (Improper Behavior), violation of N.J.S.A. 2C:29-2A(1) (Resisting Arrest), and two counts of violation of N.J.S.A. 2C:12-1B(5)(A) (Assault on Police), the Board sent a letter of inquiry requesting certain information and documents regarding the criminal matter, Respondent's nursing practice, and continuing education to Respondent's address of record in Teaneck, New Jersey, via regular and certified mail on or about July 10, 2014. The regular mailing was not returned. The receipt of the certified mailing was returned unclaimed.

4. On or about August 4, 2014, the Board received correspondence from Respondent's legal counsel containing copies of two Point Pleasant Beach Municipal Court complaint-summonses against Respondent. However, to date, Respondent has not responded to the remainder of the Board's request for information.

5. On or about May 4, 2015, Respondent completed and submitted an online biennial renewal application. Respondent

was asked on the biennial renewal application whether Respondent would have "completed the required continuing education credits by May 31, 2015," referring to the biennial renewal period of June 1, 2013 to May 31, 2015. Respondent was asked if she had completed the one hour required course on Organ and Tissue Donation. Respondent answered "Yes" to both questions and certified those answers by submitting the online application.

#### CONCLUSIONS OF LAW

Respondent's failure to respond fully to the Board's request for information constitutes a failure to cooperate with a Board investigation, in contravention of N.J.A.C. 13:45C-1.2 and 1.3, which the Board deems professional misconduct pursuant to N.J.S.A. 45:1-21(e) and also subjects Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(h).

Pursuant to N.J.A.C. 13:37-5.3(b), nurses are required to complete a minimum of thirty (30) hours of continuing education during the preceding biennial period in order to renew their licenses. Pursuant to N.J.A.C. 13:37-5.3(f), nurses are required to maintain documentation of completion of continuing education for a period of four years after completion, and shall submit such documentation to the Board upon request.

By virtue of having failed to fully respond to the letter of inquiry, Respondent is deemed to have failed to demonstrate,

to the satisfaction of the Board, that Respondent completed the continuing education credits required for renewal during the biennial period of June 1, 2011 to May 31, 2013. The Board therefore finds Respondent in violation of N.J.A.C. 13:37-5.3(b) and 13:37-5.3(f), which in turn subjects Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

Respondent's use of dishonesty and misrepresentation during the license renewal process in falsifying her continuing education information constitutes a violation of N.J.S.A. 45:1-21(b), subjecting Respondent to sanctions.

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on June 4, 2015, provisionally suspending respondent's nursing license and imposing a reprimand and a total of \$750 in civil penalties. A copy of the Order was served upon respondent by certified and regular mail at her address of record. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30<sup>th</sup> day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting

any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Respondent replied to the Provisional Order, furnishing some of the information originally requested by the Board, although she did not provide a narrative statement of the events that led to her arrest. The continuing education that she submitted indicated that she completed only 12.6 contact hours of qualifying continuing education taken during the 2011-2013 licensing cycle, but a total of 76.7 hours completed during the 2013-2015 licensing cycle, and a one-hour course in organ and tissue donation completed on June 1, 2015. The Board found that these submissions demonstrated that respondent had engaged in misrepresentation on her 2013 renewal application when she stated that she would complete all required courses for the previous cycle by May 31, 2013. In addition, the submissions supported the finding that she did not timely complete required continuing education for the 2011-2013 cycle in violation of N.J.A.C. 13:37-5.3. With respect to the 2013-2015 licensing cycle, however, respondent did not engage in misrepresentation, nor did she violate N.J.A.C. 13:37-5.3. The Board therefore found that respondent had substantially complied with the Board's request for information, and declined to impose the suspension set forth in the Provisional Order, respondent's

delay in providing a complete response warrants imposition of the \$500 civil penalty for the violation of N.J.A.C. 13:45C-1.2, -1.3. This delay cost the Board significant time and a waste in resources, requiring the Board to issue an order so as to obtain information which should have been forthcoming much earlier (the disposition date of the arrest was September 5, 2014). In addition, the Board found that the reprimand and \$250 penalty proposed in the Provisional Order were warranted because of respondent's misrepresentation on the 2013 renewal application, and her failure to timely complete continuing education for the 2011-2013 licensing cycle.

ACCORDINGLY, IT IS on this 15<sup>th</sup> day of July, 2015,  
ORDERED that:

1. A reprimand is imposed on Respondent for falsifying the continuing education information on her 2013 license renewal application.

2. Respondent is assessed a civil penalty in the amount of seven hundred and fifty dollars (\$750). Said penalty is an aggregate penalty, which includes a penalty in the amount of five hundred dollars (\$500) for failure to cooperate with a Board investigation and a penalty in the amount of two hundred and fifty dollars (\$250) for failing to timely complete required continuing education for the 2011-2013 licensing cycle. Payment

shall be made by certified check, bank cashier check, or money order payable to "State of New Jersey," or by wire transfer, direct deposit, or credit card payment delivered or mailed to Leslie Burgos-Bonilla, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Any other form of payment will be rejected and will be returned to the party making the payment. Payment shall be made no later than fifteen (15) days after the date of filing of this order. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

3. The Board reserves the right to initiate disciplinary proceedings based upon any information that Respondent has provided in response to the letter of inquiry or upon any new information the Board receives.

NEW JERSEY STATE BOARD OF NURSING

By: Patricia Murphy PhD APN  
Patricia Murphy, PhD, APN  
Board President